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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,634	03/25/2004	Seisuke Matsuda	OOCL-155 (6HS-04S0275)	8941
26479	7590	10/20/2005	EXAMINER	
STRAUB & POKOTYLO 620 TINTON AVENUE BLDG. B, 2ND FLOOR TINTON FALLS, NJ 07724			LUU, THANH X	
			ART UNIT	PAPER NUMBER
			2878	

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/809,634

Applicant(s)

MATSUDA ET AL.

Examiner

Thanh X. Luu

Art Unit

2878

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-5 and 12 is/are rejected.
- 7) ☒ Claim(s) 2 and 6-11 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 August 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>08/2004</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3-5 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamamoto et al. (U.S. Patent 4,816,917).

Regarding claims 1, 3-5 and 12, Yamamoto et al. disclose (see Figs. 1-3) a solid-state image sensing apparatus, comprising: an effective signal photoelectric conversion unit or means (light areas of 10) to receive object light; and a light-shielded reference signal photoelectric conversion unit or means (11a) to output an optical black level equivalent signal; wherein in addition to an output from the effective signal photoelectric conversion unit or means, one of an output (controlled by clamp signal P1) from the reference signal photoelectric conversion unit or means and a predetermined reference voltage (controlled by clamp signal P2; see also col. 3, lines 25-43) is selectively (switch

6) output. Yamamoto et al. further disclose (see Fig. 1) a determination unit (5) which compares a luminance value (video output) with a predetermined value (E) and a noise suppressing unit (6) as claimed.

4. Claims 1, 3-5 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Chen et al. (U.S. Patent 6,788,340).

Regarding claims 1, 3-5 and 12, Chen et al. disclose (see Figs. 2-4) a solid-state image sensing apparatus, comprising: an effective signal photoelectric conversion unit or means (unshielded portion of sensor array; not shown) to receive object light; and a light-shielded reference signal photoelectric conversion unit or means (shielded portion of sensor array under shield 48) to output an optical black level equivalent signal; wherein (see Figs. 3 and 4) in addition to an output from the effective signal photoelectric conversion unit or means, one of an output from the reference signal photoelectric conversion unit or means and a predetermined reference voltage is selectively output. Chen et al. further disclose (see Fig. 4) a determination unit (inherent in flow chart) which compares a luminance value with a predetermined value and a noise suppressing unit (44) as claimed.

Allowable Subject Matter

5. Claims 2 and 6-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter: a solid state image sensing apparatus as claimed, more specifically in

combination with: the selective output is done by changing a driving signal of the noise suppressing circuit; one of the output from the reference signal photoelectric conversion unit and the reference voltage is held on a S/H capacitor; wherein both the reset signal and optical signal capacitor are caused to hold reset signal components and optical signal components; a potential of the vertical signal line is fixed to ground and the predetermined reference value is held in the capacitor; and correcting selectively on the basis of one of pixel signal component and a reset level of the output amplifier, is not disclosed or made obvious by the prior art of record.

Conclusion


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh X. Luu whose telephone number is 571-272-2441. The examiner can normally be reached on M-F 6:30AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Porta can be reached on 571-272-2444. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Thanh X Luu
Primary Examiner
Art Unit 2878

10/2005